



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	UCKUN ET AL.	Examiner:	R. TRAVERS
Serial No.:	10/037,003	Group Art Unit:	1617
Filed:	OCTOBER 19, 2001	Docket No.:	12152.107USU1
Title:	ARYL PHOSPHATE DERIVATIVES OF D4T WITH POTENT ANTI-VIRAL ACTIVITY		

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 13, 2003.

By: Debra A Bailey

Name: Debra A Bailey

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Restriction Requirement mailed March 26, 2003, Applicants submit the following election along with a one-month extension of time.

In the March 26, 2003 Restriction Requirement, the Examiner divided the claims into the following groups:

- I. Claims 1-8 and 10-12, drawn to a method for making a medicament possessing an extended half-life *in vivo* by administering various heterocycle compounds.
- II. Claims 14-30, drawn to a method for extending the half-life *in vivo* by administering various heterocycle compounds.
- III. Claims 31-44, drawn to therapeutic pharmaceutical compositions useful for providing an extended medicament half-life *in vivo* containing various heterocycle compounds.

Applicants elect Group II, claims 14-30, with traverse. While Applicants understand that the claims of Groups I-III are patentably distinct, Applicants respectfully submit that the claims of Group II and Group III can be searched together without placing an undue burden on the Examiner. For example, searching, *e.g.*, claim 29 of Group II would begin to provide a search for the claims of Group III. Claim 29 recites a method where a compound of formula I and an esterase inhibitor are administered in a single dosage form. Claims of Group III are to compositions including a compound of formula I and an esterase inhibitor. Because the nature of a search for claim 29 would likely overlap with a search required for the claims of Group III, Applicants submit that the Examiner would not be unduly burdened by examining the claims of Group II and Group III together. Reconsideration of the grouping of the claims and of the Restriction Requirement with regard to Groups II and III is respectfully requested.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Date: 13 May 2003



Keith Campbell  
Keith Campbell  
Reg. No. 46,597  
KC:PSTdb